From: Avery Wilkins
To: Microsoft ATR
Date: 1/23/02 7:43pm
Subject: Microsoft Settlement

As written, the Microsoft antitrust settlement proposed by the Department of Justice is utterly toothless and will be ineffective in preventing further monopoly abuses by the software giant. If this settlement is accepted, as a taxpayer I will be shocked that the expense of this trial will have resulted in nothing but more abuses and wasted money.

Please consider that any ineffectual solution to Microsoft's multiple, ongoing, and remorseless monopoly abuses will be no better than simply dropping the case.

All parties to this legal action assert that it is important to conclude this matter as soon as possible, but any solution that doesn't go to the root of the problem will merely result in another repeat of legal action in the future. In short, we'll be back where we started, only with more abuses and more companies (including -- but not limited to! -- Microsoft) injured or destroyed in the process.

How this outcome would be beneficial to the technology industry, consumers, the economy as a whole, or even Microsoft itself is not clear; in the long run, Microsoft's abuse of their monoculture will even be detrimental to themselves

The current agreement makes no bold moves to block Microsoft's unrelenting desire to weasel themselves through legal loopholes towards further abuses Rather, it expressly allows them to continue using the tools they have long employed to extend their monopoly. By way of analogy, this agreement will be as laughably ineffectual as an umbrella built out of chicken wire: it doesn't do a thing to keep the hapless user from getting soaked.

If this is the best possible solution to Microsoft's proven monopoly abuses, then the entire trial, and the hearings and consent decrees before it, were an enormous waste of public dollars, and are furthermore a waste that is destined to be repeated.

As a United States taxpayer, and someone subject to the Microsoft monopoly, I'm outraged that this is what it has all come down to.

Don't settle without a worthwhile agreement.

Avery Wilkins